

REMARKS

Claims 1, 3 - 15, 18 - 20, 22 - 34, 37, 38, and 42 - 47 are pending for consideration in the present application. Claims 2, 16, 17, 21, 35, 36 and 39 - 41 are canceled, wherein claims 16, 17, 35 and 36 are being canceled by the present amendment. Reconsideration of the application is respectfully requested.

In section 6 of the Office Action, claims 1, 3 - 20, 22 - 38 and 42 - 47 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1, 20, 42 and 43 are independent claims. Applicants are amending claims 1, 20, 42 and 43, as explained below, to address this rejection.

Claim 1 is a method claim. Applicants are amending claim 1 to recite that the method is performed by a processor under control of instructions that said processor reads from a memory. Applicants are also clarifying that the processor performs actions that involve other devices such as (i) presenting to a user, via a user device, one or more menus, (b) delivering data ... through the user device, and (c) storing data in a folder (in a memory). Applicants are submitting that whereas the method of claim 1 is performed by a processor, and whereas the processor performs actions that involve other devices, the method of claim 1 is tied to a particular machine, and as such, is directed to statutory subject matter.

Claim 20 is a method claim. Applicants are amending claim 20 in a manner similar to that of claim 1. Accordingly, Applicants are submitting that claim 20, similarly to claim 1, is directed to statutory subject matter.

Claim 42 provides for a computer, i.e., an apparatus. Applicants are amending claim 42 to clarify that the computer includes structural components of a processor and a memory. As such, the computer of claim 42 is directed to statutory subject matter.

Claim 43 provides for a memory media, i.e., an apparatus. Applicants are amending claim 43 to clarify that the memory media comprises instructions that are readable by a processor, and when read

by the processor, control the processor to perform certain actions. As such, the memory media of claim 43 is directed to statutory subject matter.

Claims 3 - 15, 18, 19 and 44 depend from claim 1. Claims 22 - 34, 37, 38 and 45 depend from claim 20. Claim 46 depends from claim 42, and claim 47 depends from claim 43. By virtue of these dependencies, claims 3 - 15, 18, 19, 22 - 24, 37, 38 and 44 - 47 are also directed to statutory subject matter.

Claims 16, 17, 35 and 36 are canceled. As such, the rejection thereof is rendered moot.

Applicants are requesting reconsideration and a withdrawal of the 35 U.S.C. 101 rejection of claims 1, 3 - 20, 22 - 38 and 42 - 47 set forth in section 6 of the Office Action.

In section 8 of the Office Action, claims 1, 3 - 20, 22 - 38 and 42 - 47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description. Applicants are amending claims 1, 20, 42 and 43, as explained below, to address this rejection.

With regard to the prior recital of a user maintaining a folder, Applicants are amending claims 1, 20, 42 and 43 to clarify that the user, through one or more menus accesses a folder (page 7, lines 8 - 10; FIG. 5, tracking folders) in a memory (FIG. 3, memory 64; page 6, lines 8 - 13).

With regard to the prior recital of a centralized service provider, Applicants are amending claims 1, 20, 42 and 43 to clarify that the user selects a plurality of business services from a suite of business services (page 4, lines 5 - 8).

With regard to the prior recital of an integrated interface, Applicants are amending claims 1, 20, 42 and 43 to clarify that actions are performed via a user device (page 5, lines 5 - 7; page 6, lines 24 - 26; page 9, lines 12 - 14; page 14, lines 26 - 27).

With regard to the prior recital of storing delivered data in a folder, Applicants are amending claims 1, 20, 42 and 43 to clarify, as mentioned above, that the folders are in a memory.

Applicants are requesting reconsideration and a withdrawal of the 35 U.S.C. 112 rejection of claims 1, 3 - 20, 22 - 38 and 42 - 47 set forth in section 8 of the Office Action.

In section 9 of the Office Action, claims 42 and 43 are rejected under 35 U.S.C. 112, first paragraph as failing to comply with the enablement requirement. As mentioned above, Applicants are (i) amending claim 42 to clarify that the computer includes structural components, and (ii) amending claim 43 to clarify that the memory media comprises instructions that are readable by a processor, and when read by the processor, control the processor to perform certain actions. Applicants believe that claims 42 and 43 now comply with the enablement requirement. Accordingly, Applicants are requesting reconsideration and a withdrawal of the 35 U.S.C. 112 rejection set forth in section 9 of the Office Action.

In section 11 of the Office Action, claims 1, 3 - 20, 22 - 38 and 42 - 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants are addressing this rejection, as explained below.

Applicants are amending claims 1, 11, 20, 28, 42 and 43 to avoid use of the words "permit" and "permitting".

Applicants are amending claims 13 and 30 to avoid use of the word "provide".

Applicants are amending claims 1, 20, 42 and 43 to clarify that (i) a folder is in a memory, and (ii) that a list includes a representation of the folder (see FIG. 5).

Applicants are amending claims 1, 20, 42 and 43 to delete a portion of their preambles, so that the preambles are consistent with the body of the claims.

Applicants are amending claim 9 and 26 to avoid use of the term "directly".

Applicants are requesting reconsideration and a withdrawal of the 35 U.S.C. 112 rejection set forth in section 11 of the Office Action.

In section 13 of the Office Action, claims 1, 3, 4, 6, 8 - 10, 15 - 17, 20, 22, 23, 25 - 27, 32, 33, 35, 36, 42 and 43 are rejected under 35 U.S.C. 102(a and e) as being anticipated by U.S. Patent Application Publication No. 2001/0032170 to Sheth (hereinafter "the Sheth publication"). Applicants are rewriting claims 1, 20, 42 and 43 to include relevant recitals that were previously presented in dependent claims 16 and 17, or dependent claims 35 and 36.

Claim 1 provides for a method performed by a processor under control of instructions that the processor reads from a memory. The method includes, *inter alia*, communicating an alert notice concerning a target business to a user, wherein the alert notice is filed in a folder. These features were, as mentioned above, previously presented in claims 16 and 17 or claims 35 and 36.

The Sheth publication pertains to a method and a system that allows a corporation to aggregate its procurement of services through a central automated, online process, i.e., an online private marketplace, in which a private marketplace owner invites bids from vendors (Abstract). The Sheth publication mentions alerts, and specifically states that "[T]he described embodiment can contact the buyer and seller with email, pager, phone, fax, mobile phone, etc." (paragraph 0123). The Sheth publication also mentions folders (paragraphs 108 and 109), but does not indicate that the alerts are ever stored in the folders.

Whereas the Sheth publication does not indicate that alerts are stored in folders, the Sheth publication does not disclose communicating an alert notice concerning a target business to a user, wherein the **alert notice is filed in a folder**, as recited in claim 1. Thus, the Sheth publication does not anticipate claim 1.

Claims 20, 42 and 43 each includes a recital, similar to that of claim 1, of an alert notice being filed in a folder. As such, claims 20, 42 and 43, similarly to claim 1, are also novel over the Sheth publication.

Claims 3, 4, 6, 8 - 10 and 15 depend from claim 1. Claims 22, 23, 25 - 27, 32 and 33 depend from claim 20. By virtue of these dependencies, claims 3, 4, 6, 8 - 10, 15, 22, 23, 25 - 27, 32 and 33 are also novel over the Sheth publication.

Claims 16, 17, 35 and 36 are canceled. As such, the rejection thereof is rendered moot.

Applicants are requesting reconsideration and a withdrawal of the 35 U.S.C. 102 rejection set forth in section 13 of the Office Action.

In section 15 of the Office Action, claims 1, 3, 4, 6, 8 - 10, 15 - 17, 20, 22, 23, 25 - 27, 32, 33, 35, 36, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Sheth publication. As mentioned above, Applicants are amending claims 1, 20, 42 and 43 to include features that were previously presented in other claims. Applicants believe that claims 1, 20, 42 and 43 now recite a feature that is neither disclosed nor suggested by the Sheth publication.

Above, Applicants (a) explained that the Sheth publication does not indicate that alerts are stored in folders, and (b) that the Sheth publication mentions alerts, but specifically states that "[T]he described embodiment can contact the buyer and seller with email, pager, phone, fax, mobile phone, etc.". Applicants are now submitting that since the Sheth publication expressly contemplates the existence of folders and alerts, and expressly states several treatments of the alerts (e.g., email, pager, fax, mobile phone, etc.), yet does not mention that the alerts can be stored in the folders, that the Sheth publication therefore neither discloses nor suggests communicating an alert notice concerning a target business to a user, wherein the **alert notice is filed in a folder**, as recited in claim 1, and similarly in claims 20, 42 and 43.

Moreover, whereas the system in the Sheth publication is specifically presented in the context of establishing a private marketplace in which a private marketplace owner invites bids from vendors, it appears to involve only two parties, i.e., the private marketplace owner and the vendor(s). In contrast, each of the independent claims of the present application refers to three parties, namely, a **user**, a **target business**, and **providers of selected business services**. Thus, the system in the Sheth publication is non-analogous to the method and system recited in claims 1, 20, 42 and 43.

For the reasons provided above, Applicants are submitting that each of claims 1, 20, 42 and 43 is patentable over the Sheth publication.

Claims 3, 4, 6, 8 - 10 and 15 depend from claim 1. Claims 22, 23, 25 - 27, 32 and 33 depend from claim 20. By virtue of these dependencies, claims 3, 4, 6, 8 - 10, 15, 22, 23, 25 - 27, 32 and 33 are also patentable over the Sheth publication.

Claims 16, 17, 35 and 36 are canceled. As such, the rejection thereof is rendered moot.

Applicants are requesting reconsideration and a withdrawal of the 35 U.S.C. 103 rejection set forth in section 15 of the Office Action.

In section 16 of the Office Action, claims 13, 18, 19, 30, 37, 38 and 44 - 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Sheth publication in view of U.S. Patent Application Publication No. 20020072927 to Phelan et al. (hereinafter "the Phelan et al. publication").

Claims 13, 18, 19 and 44 depend from claim 1. Claims 30, 37, 38 and 45 depend from claim 20. Claim 46 depends from claim 42, and claim 47 depends from claim 43. Applicants do not believe that the Phelan et al. publication makes up for the deficiency of the Sheth publication as it relates to claims 1, 20, 42 and 43. Accordingly, Applicants are submitting that claims 1, 20, 42 and 43, and claims 13, 18, 19, 30, 37, 38 and 44 - 47, by virtue of their dependencies, are all patentable over the cited combination of the Sheth publication and the Phelan publication.

Applicants are requesting reconsideration and a withdrawal of the 35 U.S.C. 103 rejection of claims 13, 18, 19, 30, 37, 38 and 44 - 47 set forth in section 16 of the Office Action.

In section 17 of the Office Action, claims 5, 7, 11, 12, 24, 28, 29 and 34 are rejected under 35 U.S.C. 103 as being unpatentable over the Sheth publication in view of Official Notice.

Claims 5, 7, 11 and 12 depend from claim 1, and claims 24, 28, 29 and 34 depend from claim 20. Applicants do not believe that the invocation of Official Notice makes up for the deficiency of the Sheth publication as it relates to claims 1, 20, 42 and 43. Accordingly, Applicants are submitting that claims 1, 20, 42 and 43, and claims 5, 7, 11, 12, 24, 28, 29 and 34, by virtue of their dependencies, are all patentable over the Sheth patent in view of Official Notice.

Applicants are requesting reconsideration and a withdrawal of the 35 U.S.C. 103 rejection set forth in section 17 of the Office Action.

In section 18 of the Office Action, claims 14 and 31 are rejected under 35 U.S.C. 103 as being unpatentable over the Sheth publication in view of the Phelan et al. publication, in view of Official Notice.

Claim 14 depends from claim 1, and claim 31 depends from claim 20. Applicants do not believe that the invocation of Official Notice makes up for the deficiency of the Sheth publication and the Phelan et al. publication as they relate to claims 1 and 20. Accordingly, Applicants are submitting that claims 1 and 20, and claims 14 and 31, by virtue of their dependencies, are all patentable over the Sheth publication and the Phelan et al. publication in view of Official Notice.

Applicants are requesting reconsideration and a withdrawal of the 35 U.S.C. 103 rejection of claims 14 and 31 set forth in section 18 of the Office Action.

As mentioned above, Applicants are:

(a) amending claims 1, 20, 42 and 43 to address a rejection under 35 U.S.C. 101;

- (b) amending claims 1, 20, 42 and 43 to address a rejection under 35 U.S.C 112, first paragraph;
- (c) amending claims 42 and 43 to address a rejection under 35 U.S.C 112, first paragraph;
- (d) amending claims 1, 9, 11, 13, 20, 26, 28, 30, 42 and 43 to address a rejection under 35 U.S.C. 112, second paragraph; and
- (e) rewriting claims 1, 20, 42 and 43 to include relevant recitals that were previously presented in dependent claims.

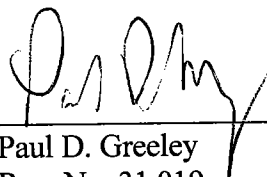
Applicants are also amending claims 4, 6, 9, 15, 23, 26, 32 and 33 for consistency with the language of the claims from which they depend.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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